

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN JEFFREY ELLIS,

Plaintiff,

Case no. 15-13985

Honorable John Corbett O'Meara

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The court, pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, 28 U. S. C. 636(b)(1)(B), and LR 72.1(E.D. Mich. March 1, 2010), has reviewed Magistrate Judge R. Steven Whalen's December 9, 2016 report and recommendation. No objections have been filed by the parties. The court having reviewed the entire record;

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the court's findings and conclusions.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is DENIED, and Plaintiff's supplemental motion for summary judgment is GRANTED to the extent the case is REMANDED for further administrative

proceedings consistent with the report and recommendation.

s/John Corbett O'Meara

United States District Judge

Date: January 17, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, January 17, 2017, using the ECF system.

s/William Barkholz

Case Manager